

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13339 of George M. White, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the lot occupancy requirements (Sub-section 3303.1) and the open court requirements (Sub-section 3306.1) to construct an addition to a row dwelling in an R-3 District at the premises 3337 N Street, N. W. (Square 1229, Lot 810).

HEARING DATE: September 17, 1980

DECISION DATE: September 17, 1980 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located in an R-3 District on the north side of N Street between 33rd and 34th Streets, N. W.
2. The subject property is improved with a brick row structure used as a single family dwelling.
3. The subject property is approximately twenty-seven feet wide by 177 feet deep. It has an area of 4,779.27 square feet.
4. The house at present has an open porch at the rear at the second story level. That porch is roofed over but is not enclosed.
5. The applicant proposes to make two additions to the existing house. The present porch will be demolished and will be replaced with an enclosed two story addition which will be part of the house. The addition will be used as part of the kitchen on the first floor and as a bedroom on the second floor.
6. The area covered by the enclosed addition will be the same as the area covered by the roof of the existing porch, except that there will be an extension to the east of approximately one foot.
7. The applicant further proposes to add a glass lean-to greenhouse in an existing open court on the east side of the building. The portion of the court in which the greenhouse will be located is thirteen feet, nine inches wide.

The greenhouse will be ten feet, nine inches by sixteen feet. The remaining open court will then be only three feet wide. The Zoning Regulations require an open court to be a minimum of six feet in width. Thus a variance of three feet is required.

8. The present dwelling and accessory building at the rear occupy 2,861 square feet. The addition will occupy 289 square feet, for a total building area of 3,150 square feet. The regulations permit a maximum lot occupancy of sixty per cent, or 2,867.56 square feet for this lot. The applicant therefore requires a variance of 282.44 square feet.

9. The greenhouse will be one story in height. The adjoining property to the east is separated from the greenhouse by a 7.5 foot high masonry wall. Because of the glass enclosure and the existing wall, the proposed greenhouse will not obstruct light, air or ventilation to the subject or adjoining property.

10. The existing dwelling was constructed prior to the adoption of the present Zoning Regulations.

11. The subject lot far exceeds the minimum area required for a rowhouse in an R-3 District, and will still have a substantial amount of open space after the additions are constructed.

12. Advisory Neighborhood Commission 3A, by letter dated September 12, 1980, stated that it had no objection to the granting of the variances.

13. The Citizens Association of Georgetown, represented by Mrs. Harold B. Hinton, advised the Board at the hearing that because of the age of the building and its history, the property constituted an unusual situation. The Association did not oppose the application.

14. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION;

Based on the findings of fact and the evidence of record, the Board concludes that the requested variances are area variances, the granting of which requires the showing of an exceptional or extraordinary condition of the property which creates a practical difficulty for the owner. The Board concludes that the size, age and configuration of the property do combine to create such a condition, and that strict compliance with the regulations would prevent the owner from constructing what are reasonable additions to his dwelling.

The Board concludes that it has accorded to the ANC the "great weight" to which it is entitled. The Board concludes that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and maps. It is therefore ORDERED that the application is GRANTED.

VOTE: 4-0 (Theodore F. Mariani, Charles R. Norris, Connie Fortune and William F. McIntosh to grant, Leonard L. McCants, not present not voting.)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY

  
Steven E. Sher  
Executive Director

FINAL DATE OF ORDER: 15 OCT 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.